UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,654	08/30/2000	Satoshi Yashiro	CANO:013	2191

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EXAMINER
ALI, MOHAMMAD

ART UNIT	PAPER NUMBER
2177	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/651,654	YASHIRO, SATOSHI
		Examiner	Art Unit
		Mohammad Ali	2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 March 2004</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,6-9,12-15 and 18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,6-9,12-15 and 18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1. This communication is in response to RCE with Amendment filed on March 04,

2004.

Claims 1-3, 6-9, 12-15 and 18 are pending in this Office Action. Claims 4-5, 10-

11 and 16-17 have been cancelled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 6-9, 12-15 and 18 rejected under 35 U.S.C. 103(a) as being

unpatentable over Yoshitaka Sano ('Sano' hereinafter), US Patent 5,038,379 in view of

Timothy J. Plattt ('Platt' hereinafter), US PG Pub 2002/0047798.

With respect to claim 1,

Sano discloses the claimed invention including, an image search apparatus, which

searches image data according to keywords assigned to said image data, said image

search apparatus (col. 1, lines 10-15).

In particular, Sano teaches 'an input means for inputting a search query' at (col. 1,

lines 58-62);

'search means for searching said image data according to the search query inputted

by said input means and the keywords stored in relation to said image data' is taught by

Sano as search in the image information inputted from an image inputting apparatus

and thereby to produce the search information to search desired image information in

consideration (col. 1, lines 58-62);

'acquiring means for acquiring importance of the keywords, the importance being

stored in relation to the keywords stored in relation to said image data searched by said

search means' as (col. 2, lines 454-53, Sano); and

Finally, 'output means for outputting the image data searched by said search means

in an order accordingly to said importance of the keywords acquired by said acquiring

means' is taught by Sano as the desired keyword for this image information including

discriminating information to discriminate the image information for a plurality of image

information of the same group (rearranging) from another image information (col. 2,

lines 58-61 et seq).

Sano does not explicitly indicate "acquiring importance".

Platt discloses the acquiring importance (image acquisition and retrieval system

acquires an image of an object, see paragraph 0024, page 2, Platt).

It would have been obvious to one ordinary skill in the image processing art at the

time of the present invention to combine the teachings of the cited references, because

the acquiring importance of Platt's teachings would have allowed Sano's system to

improves retrieving employs position data to retrieve image data, as suggested by

Platt's at paragraph 0001, page 1, Platt. Further, acquiring importance as taught by

Platt's improves searches the image database to retrieve selected ones of the stored images that corresponds to user defined search criteria (see paragraph 0008, page 1, Platt).

As to claim 3,

Sano discloses the claimed invention including, an image search apparatus, which searches image data according to keywords stored in relation to said image data, said image search apparatus (col. 1, lines 10-15).

'storage means storing the keywords stored in relation to said image data, synonyms of said keywords, and accordance between said keywords and said synonyms' (see col. 2, lines 45-50 et seq, Sano):

In particular, Sano teaches 'an input means for inputting a search query' (col. 1, lines 58-62, Sano).

'search means for searching said image data according to the search query inputted by said input means, the keywords stored in relation to said image data, and the synonyms stored by storage means' is taught by Sano as search in the image information inputted from an image inputting apparatus and thereby to produce the search information to search desired (Keyword) image information in consideration (col. 1, lines 58-62);

'first acquiring means acquiring for acquiring importance of the keywords, the importance being stored in relation to the keywords stored in relation to said image data searched by said search means' (col. 1, lines 45-53 et seq);

'second acquiring means for acquiring said accordance when said search means has searched said image data according to said synonyms (col. 1, lines 45-53 et seq);

and

Finally, 'output means for outputting the image data searched by said search means in an order according,....' is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 45-61, col. 1, lines 58-67, et seq).

Sano does not explicitly indicate "acquiring importance".

Platt discloses the acquiring importance (image acquisition and retrieval system acquires an image of an object, see paragraph 0024, page 2, Platt).

It would have been obvious to one ordinary skill in the image processing art at the time of the present invention to combine the teachings of the cited references, because the acquiring importance of Platt's teachings would have allowed Sano's system to improves retrieving employs position data to retrieve image data, as suggested by Platt's at paragraph 0001, page 1, Platt. Further, acquiring importance as taught by Platt's improves searches the image database to retrieve selected ones of the stored images that corresponds to user defined search criteria (see paragraph 0008, page 1, Platt).

As to claim 7,

Sano discloses the claimed invention including, an image search apparatus, which searches image data according to keywords stored in relation to said image data, said

image search apparatus (col. 1, lines 10-15). In particular, Sano teaches an input

means for inputting search query (col. 1, lines 58-62).

'a searching step for searching said image data according to the search query

inputted steps and the keywords stored in relation to said image data 'is taught by Sano

as search in the image information inputted from an image inputting apparatus and

thereby to produce the search information to search desired (Keyword) image

information in consideration (col. 1, lines 58-62).

'an acquiring step of acquiring of acquiring importance of the keywords, the

importance being stored in relation to the keywords stored,....' (col. 1, lines 45-53 et

seq);

Finally, 'an output step of outputting the image data searched by said searching,...' is

taught by Sano as the desired keyword for this image information including

discriminating information to discriminate the image information for a plurality of image

information of the same group from another image information (col. 2, lines 45-61 et

seq).

Sano does not explicitly indicate "acquiring importance".

Platt discloses the acquiring importance (image acquisition and retrieval system

acquires an image of an object, see paragraph 0024, page 2, Platt).

It would have been obvious to one ordinary skill in the image processing art at the

time of the present invention to combine the teachings of the cited references, because

the acquiring importance of Platt's teachings would have allowed Sano's system to

improves retrieving employs position data to retrieve image data, as suggested by

Platt's at paragraph 0001, page 1, Platt. Further, acquiring importance as taught by

Platt's improves searches the image database to retrieve selected ones of the stored

images that corresponds to user defined search criteria (see paragraph 0008, page 1,

Platt).

As to claim 9,

Sano discloses the claimed invention including, an image search apparatus, which

searches image data according to keywords in relation to said image data, said image

search apparatus (col. 1, lines 10-15).

'a storage controlling step storing, in storage means,......' (col. 2, lines 1-20 et seq);

In particular, Sano teaches an input means for inputting search query (col. 1, lines

58-62).

'storage controlling step of storing,......' (col. 1, lines 45-53 et seq)

'a searching step of searching said image data,......' is taught by Sano as search in

the image information inputted from an image inputting apparatus and thereby to

produce the search information to search desired (Keyword) image information in

consideration (col. 1, lines 58-62).

'a first acquiring step of acquiring importance,....' (col. 2, lines 45-53, Sano);

'a second acquiring step acquiring said accordance,......' (col. 2, lines 45-53, Sano);

Finally, 'an output step of outputting the image data searched,..'. is taught by Sano

as the desired keyword for this image information including discriminating information to

discriminate the image information for a plurality of image information of the same group

(rearranging) from another image information (col. 2, lines 45-61 et seq).

Sano does not explicitly indicate "acquiring importance".

Platt discloses the acquiring importance (image acquisition and retrieval system acquires an image of an object, see paragraph 0024, page 2, Platt).

It would have been obvious to one ordinary skill in the image processing art at the time of the present invention to combine the teachings of the cited references, because the acquiring importance of Platt's teachings would have allowed Sano's system to improves retrieving employs position data to retrieve image data, as suggested by Platt's at paragraph 0001, page 1, Platt. Further, acquiring importance as taught by Platt's improves searches the image database to retrieve selected ones of the stored images that corresponds to user defined search criteria (see paragraph 0008, page 1, Platt).

As to claim 13,

Sano discloses the claimed invention including, an image search method and apparatus in storage medium, which searches image data according to keywords stored in relation to said image data,... (col. 1, lines 10-15, Fig. 1).

'inputting the search query' (col. 1, lines 45-67, Sano);

"searching for said image data according to the search,...' is taught by Sano as search in the image information inputted from an image inputting apparatus and thereby to produce the search information to search desired (Keyword) image information in consideration (col. 1, lines 58-62).

'acquiring importance of the keywords,...' (col. 2, lines 45-53, Sano);

Finally, 'outputting the image data,... ' is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 45-61 et seq).

Sano does not explicitly indicate "acquiring importance".

Platt discloses the acquiring importance (image acquisition and retrieval system acquires an image of an object, see paragraph 0024, page 2, Platt).

It would have been obvious to one ordinary skill in the image processing art at the time of the present invention to combine the teachings of the cited references, because the acquiring importance of Platt's teachings would have allowed Sano's system to improves retrieving employs position data to retrieve image data, as suggested by Platt's at paragraph 0001, page 1, Platt. Further, acquiring importance as taught by Platt's improves searches the image database to retrieve selected ones of the stored images that corresponds to user defined search criteria (see paragraph 0008, page 1, Platt).

As to claim 15,

Sano discloses the claimed invention including, an image search method and apparatus in storage medium, which searches image data according to keywords assigned to said image data, said image search apparatus,... (col. 1, lines 10-15, Fig. 1).

'storing keywords stored in relation to said image data,....' (col. 2, lines 45-53, Sano);

'inputting a search query' (col. 1, lines 58-67, Sano)

searching said image data accordance,....' is taught by Sano as search in the image

information inputted from an image inputting apparatus and thereby to produce the

search information to search desired (Keyword) image information in consideration (col.

1, lines 58-62).

'acquiring importance of the keywords,....' (col. 2, lines 45-53, Sano);

'acquiring said accordance when said image data have been searched,...' (col. 2,

lines 45-53, Sano);

Finally, 'outputting the image data,....' is taught by Sano as the desired keyword for

this image information including discriminating information to discriminate the image

information for a plurality of image information of the same group (rearranging) from

another image information (col. 2, lines 58-61 et seq).

Sano does not explicitly indicate "acquiring importance".

Platt discloses the acquiring importance (image acquisition and retrieval system

acquires an image of an object, see paragraph 0024, page 2, Platt).

It would have been obvious to one ordinary skill in the image processing art at the

time of the present invention to combine the teachings of the cited references, because

the acquiring importance of Platt's teachings would have allowed Sano's system to

improves retrieving employs position data to retrieve image data, as suggested by

Platt's at paragraph 0001, page 1, Platt. Further, acquiring importance as taught by

Platt's improves searches the image database to retrieve selected ones of the stored

images that corresponds to user defined search criteria (see paragraph 0008, page 1,

Platt).

As to claim 2,

'wherein said output means output,... is taught by Sano as the desired keyword for

this image information including discriminating information to discriminate the image

information for a plurality of image information of the same group (rearranging) from

another image information (col. 2, lines 58-61 et seq).

As to claim 6,

'wherein said image search,...' is taught by Sano as the desired keyword for this

image information including discriminating information to discriminate the image

information for a plurality of image information of the same group (rearranging) from

another image information (col. 2, lines 58-61 et seq).

As to claim 8,

'wherein image data output,... ' is taught by Sano as the desired keyword for this

image information including discriminating information to discriminate the image

information for a plurality of image information of the same group (rearranging) from

another image information (col. 2, lines 58-61 et seq).

As to claim 12,

'wherein said input step comprises receiving a search query,...' is taught by Sano as

the desired keyword for this image information including discriminating information to

discriminate the image information for a plurality of image information of the same group

from another image information (col. 2, lines 58-61 et seq).

As to claim 14,

'wherein the image data output,... ' is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 18,

'wherein said input instruction comprises receiving a search query,...' is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

Remarks

4. Applicant's argue that Sano does not teach, 'importance of the keywords in relation to the content of the image being searched'.

In response to Applicants arguments, the Examiner respectfully submits that in particular, Sano teaches this limitation as, the search information to a desired key word such that the user can easily search a desired image information from the second data base and the user while keeping with the search information as it is between the first and second data bases, see col. 2, lines 45-52 et seq. Hence, Applicants arguments do not distinguish over the claimed invention over the prior art of record.

Applicant's argue that Sano does not teach, 'output images,…'.

In response to Applicants arguments, the Examiner respectfully submits that in particular, Sano teaches this limitation as, the operator can recognize the key word by the character string. The management character number stored into the file simultaneously with the output (col. 5, lines 19-26 et seq).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent 6,584,223 (Shiiyama) teaches acquired importance keywords, search query, image search etc.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790 or Customer Service (703) 306-5631. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for any communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Mohammad Ali

Patent Examiner

AU 2177

MA

May 06, 2004